

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSE RIVERA,

Plaintiff,

-against-

METROPOLITAN TRANSPORTATION  
AUTHORITY; FIRE DEPARTMENT; NEW  
YORK CITY BOARD OF EDUCATION; CITY  
OF NEW YORK; NATIONAL GUARD; STATE  
OF NEW YORK,

Defendants.

19-CV-10037 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated November 1, 2019, the Court directed Plaintiff, within thirty days, to submit a completed and signed request to proceed *in forma pauperis* (IFP) and prisoner authorization or pay the \$400.00 in fees required to file a civil action.<sup>1</sup> That order specified that failure to comply would result in dismissal of the complaint. Plaintiff has not complied with the Court's November 1, 2019 order. Accordingly, the complaint is dismissed without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal.

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<sup>1</sup> After a search of the New York City Department of Correction records revealed that Plaintiff was detained in a different facility, on December 10, 2019, the Clerk of Court remailed the November 1, 2019 order to Plaintiff.

*Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: January 15, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", written over a horizontal line.

COLLEEN McMAHON  
Chief United States District Judge